

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY A. AUSTIN,
Plaintiff,
v.
STATE OF CALIFORNIA, et al.,
Defendants.

No. 1:22-cv-00097-ADA-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(Doc. No. 6)

Plaintiff Gregory A. Austin, proceeding *pro se* and *in forma pauperis*, filed this civil action on January 24, 2022. (Doc. No. 1.)

On August 4, 2022, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's action be dismissed, with prejudice, based on plaintiff's failure to comply with Federal Rules of Civil Procedure 8, 10, 18, 20, failure to state a claim, and failure to obey the court's order. (Doc. No. 6.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 10.) On August 29, 2022, well after the (14) day deadline to file objections to the findings and recommendations, plaintiff filed a response.¹ (Doc. No. 8.)

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this court has conducted a

¹ Although titled "response," the Court will deem docket entry number 8 as plaintiff's objection to the findings and recommendations filed and served on August 4, 2022. (Doc. No. 6.)

1 *de novo* review of the case. Having carefully reviewed the entire file, including the late filed
2 response, the court finds that the findings and recommendations are supported by the record and
3 proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on August 4, 2022 (Doc. No. 6) are
6 adopted in full;
- 7 2. Plaintiff's action is dismissed, with prejudice, based on plaintiff's failure to
8 comply with Federal Rules of Civil Procedure 8, 10, 18, and 20, failure to state a
9 claim and failure to obey the court's order; and
- 10 3. The Clerk of the court is directed to close this case.

11
12
13 IT IS SO ORDERED.

14 Dated: August 31, 2022

15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT JUDGE